

Application No. 09/708,341
Reply to Office Action of May 19, 2004

REMARKS

After the foregoing amendment, claims 1, 3, 4 and 6-12, as amended, are pending in the application. Claims 2 and 5 stand canceled. Applicant submits that no new matter has been added to the application by the Amendment.

Rejection - 35 U.S.C. § 103

The Examiner rejected claims 1 and 6-11 under 35 U.S.C. § 103 as being unpatentable over Kondo in view of U.S. Patent No. 6,560,371 (Song et al.). The Examiner states that Kondo describes a method of finding motion vectors comprising steps of generating a first scaled frame and a second scaled frame, performing a best match search of the second scaled frame to identify rough motion vectors and performing a second best match search using the rough motion vectors of the first search, and then, performing a third best match search using the vectors of the second search to identify the final motion vectors. The Examiner states that Kondo does not specifically teach the size of a macroblock but Song et al. teaches that the size of the macroblock can be any size. Applicant respectfully traverses the rejection.

Applicant respectfully suggests that the Examiner has misconstrued the phrase "wherein the first search uses four macroblocks" in claim 1. Consequently, Applicant has amended claim 1 (without further narrowing claim 1) to make claim 1 clearer. Amended claim 1 recites that each reference block of the first search consists of four macroblocks and that each reference block for the second search is a single macroblock. That is to say, each search of the first full search is conducted using a four macroblock reference block instead of a single macroblock.

Neither Kondo nor Song et al. teach or suggest that a reference block for the first search consist of four macroblocks and the reference blocks for successive searches be a single macroblock, as recited in amended claim 1. Kondo, in Figs. 9 and 10 clearly show the first search using a single macroblock as a reference block. Similarly, while Song et al. discloses pyramidal/N-scale tiling, Song et al. does not teach or suggest making a reference block in a first search be four macroblocks and the reference blocks for succeeding blocks be one macroblock. Since neither Kondo nor Song et al. teach or suggest using four macroblocks as a reference block for the first search and a single macroblock for successive searches, Kondo and Song et al.,

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either individually or in combination do not make amended claim 1 obvious. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the §103 rejection of claim 1.

Further, it is respectfully submitted that since amended claim 1 has been shown to be allowable, claims 6-11 dependent on amended claim 1 are allowable, at least by their dependency. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claims 6-11.

Rejection - 35 U.S.C. § 103

The Examiner rejected claim 3 under 35 U.S.C. § 103 as being unpatentable over Kondo in view of U.S. Patent No. 6,560,371 (Song et al.) and further in view of U.S. Patent No. 5,485,210 (Lin et al.).

Lin et al. does not teach or suggest that a reference block for the first search consist of four macroblocks and the reference blocks for successive searches be a single macroblock. Accordingly, since Lin et al. does not make up for the deficiency of Kondo and Song et al., claim 3 dependent on allowable amended claim 1 is allowable, at least by its dependency on amended claim 1. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claim 3.

Rejection - 35 U.S.C. § 103

The Examiner rejected claim 4 under 35 U.S.C. § 103 as being unpatentable over Kondo in view of U.S. Patent No. 6,560,371 (Song et al.) and further in view of U.S. Patent No. 6,430,333 (Okuda).

Okuda does not teach or suggest that a reference block for the first search consist of four macroblocks and the reference blocks for successive searches be a single macroblock. Accordingly, since Okuda does not make up for the deficiency of Kondo and Song et al., claim 4 dependent on allowable amended claim 1 is allowable, at least by its dependency on amended claim 1. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claim 4.

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Rejection - 35 U.S.C. § 103

The Examiner rejected claim 12 under 35 U.S.C. § 103 as being unpatentable over Kondo. As discussed above, Kondo does not teach or suggest that a reference block for the first search consist of four macroblocks and the reference blocks for successive searches be a single macroblock. Claim 12, is dependent on allowable amended claim 1 and thus is allowable, at least by its dependency on amended claim 1. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 103 rejection of claim 12.

Conclusion

Insofar as the Examiner's objections and rejections have been fully addressed, the instant application, including claims 1, 3, 4 and 6-12, is in condition for allowance and Notice of Allowability of claims 1, 3, 4 and 6-12 is therefore earnestly solicited.

Respectfully submitted,

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(Date)

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